



Immigration Advice  
and Rights Centre

## **IARC Complaints Policy**

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### **1. Statement of principle**

IARC is committed to ensuring that any individual or organisation using IARC's services or affected by its operations has the right to access a complaint resolution process that is accessible, equitable, fair, accountable and transparent.

### **2. Policy objective**

This policy aims to ensure that IARC provides a complaints procedure that:

- is simple and easy to use
- is effectively communicated and promoted to all clients and stakeholders
- ensures complaints are fairly assessed and responded to promptly
- follows principles of procedural fairness
- allows a complainant and the person against whom a complaint is made to appeal an adverse decision regarding a complaint
- complies with legislative requirements.

### **3. To whom does this policy apply**

This policy applies to all employees, volunteers, secondees and management committee.

### **4. Policy statement**

IARC will:

- consider all complaints it receives
- treat all complainants fairly and with respect
- ensure all complaints processes are culturally appropriate
- ensure that there is no victimisation of any party involved in a complaint resolution process
- where appropriate maintain the confidentiality of all parties involved, keeping any information private to those directly involved in the complaint and its resolution
- ensure that complainants, and anyone who has a complaint made against them, are aware that they can have a support person of their own choosing present during any investigation
- deal with all complaints in a timely manner
- keep parties to the complaint informed of the progress of the investigation of the complaint

- ensure that employees, volunteers, secondees, management committee members are given information about this complaints policy and are aware of procedures for managing client feedback and complaints
- ensure service users, stakeholders and members are aware of the complaints policy and procedures
- ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.

## **5. Procedures**

### **5.1 Information for clients and stakeholders**

Information about IARC's complaints process will be included in letters to clients, training information and on IARC's website. Information provided will include:

- how to make a complaint
- what can a complaint be about
- the contact person for lodging a complaint
- how the organisation will deal with the complaint, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- the responsibilities of the complainant to provide correct and accurate information in good faith to substantiate his or her complaint
- the responsibility of the complainant to co-operate with IARC in the resolution of his or her complaint
- how the person will be informed about the outcome of their complaint or appeal
- how to appeal a decision made about a complaint.

### **5.2 Making a complaint**

A person wishing to make a complaint should do so in writing or verbally to:

- the staff member they were dealing with at the time
- the supervisor of the person they were dealing with at the time
- the Centre Director
- the President of IARC, or
- a relevant external body.

### **5.3 Processing the complaint**

The person who receives the complaint will be responsible for:

- referring the complaint within 2 business days of the complaint being received to an appropriate person within IARC to investigate.
- requesting that a complaint file be created within 4 business days of the complaint being received
- informing the complainant, and anyone who has a complaint made against them, within 7 business days of the complaint being received with information about the process and time frame for dealing with the complaint

## **5.4 Investigating and resolving the complaint**

The person responsible for handling the complaint will be responsible for:

- investigating and making a decision on how to resolve the complaint
- informing the complainant, and anyone who has a complaint made against them, within 28 business days of the outcome of the investigation
- informing the complainant of their right to appeal the decision internally within IARC, or where appropriate, refer the complaint to a relevant external body. If a complaint alleges criminal or corrupt behaviour, then a referral to the police is appropriate.

As far as possible, complaints will be investigated and resolved within 28 business days of being received. If this time frame cannot be met, the complainant will be informed of the alternative time frame for resolution.

If, in the course of the complaint resolution process, it is found that there is insufficient evidence to substantiate a complaint, the complainant will be advised of the circumstances that have led to this finding. The explanation provided may be of itself a reasonable outcome leading to resolution of the matter.

## **5.5 Appealing a decision**

The complainant may lodge an appeal if he or she is not satisfied with the investigation and proposed resolution of his or her complaint within 15 business days of being informed of the outcome of the investigation and the proposed resolution of his or her complaint. An appeal should be made in writing to the Centre Director or, where the appeal is against a decision made by the Centre Director, to the President.

## **5.6 Complaints against staff, secondees or volunteers**

The Centre Director is responsible for resolving complaints about IARC staff, secondees or volunteers. In respect of such complaints, the Centre Director will:

- notify the person about whom a complaint has been made of the complaint
- provide the person about whom a complaint has been made with an opportunity to respond to any issues raised
- investigate the complaint, while observing the principles of procedural fairness
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party and the person against whom a complaint is made.
- ensure that the person about whom a complaint has been made is aware that they can have a support person of their own choosing present during any investigation
- allow the person about whom a complaint has been made to appeal an adverse decision regarding a complaint
- where relevant advise the complainant of their right to make a complaint to a relevant external body such as the Law Society or the Legal Services Commissioner.

Complaints against the Centre Director will be managed by the President of the Board.

## 5.7 Complaints about IARC management committee members

Complaints made about a member of the management committee will be referred to the President for investigation.

Where the President is the subject of a complaint, the complaint will be referred to the Vice President.

## 5.8 Record keeping

A file will be created for any complaint received and this file will be kept in a secure location by the Centre Director. The file will contain all correspondence and file notes and other relevant documentation relating to the complaint and include:

- Details of the complainant and the nature of the complaint
- Date the complaint was received
- Action taken
- Date and reason for decision in respect of the complaint
- Indication of complainant being notified of outcome
- Complainant response and any further action.

To the full extent permitted by law, complaints files will be confidential and access generally will be restricted to the staff member dealing with the complaint and the Centre Director.

A summary of all complaints received will be kept in a Complaints Register so that the information can inform the planning and evaluation processes. No confidential information will be included in the Complaints Register

Information about complaints and how they are being resolved will be reported to the following meeting of the Management Committee.

## 6. Responsibility

Overall responsibility for implementing this policy and procedure rests with the Centre Director and the President.

## 7. Review

The Management Committee will review this policy every three years with input from staff.

Policy Responsibility	Centre Director and President
Policy originally approved by:	Management Committee
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Date of most recent review:	22 July 2022
Approved by:	22 July 2022
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